

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38142 of 2019

Arising Out of PS. Case No.-163 Year-2013 Thana- JAGDISHPUR District- Bhagalpur

1. BHAIRO PRASAD SINGH Son of Late Ram Lal Singh Resident of Village - Logain, P.S.- Goradih, District- Bhagalpur
2. Panju Prasad Singh Son of Late Ram Lal Singh Resident of Village - Logain, P.S.- Goradih, District- Bhagalpur
3. Jaldhar Singh Son of Thakur Prasad Singh Resident of Village - Logain, P.S.- Goradih, District- Bhagalpur
4. Chatish Singh Son of Panju Singh Resident of Village - Logain, P.S.- Goradih, District- Bhagalpur
5. Atwari Singh Son of Manilal Singh Resident of Village - Logain, P.S.- Goradih, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 05-07-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 323, 324, 307, 379 IPC registered in connection with Jagdishpur (Goradih) P.S. Case No. 163 of 2013.

3. It is submitted that the petitioners have been falsely implicated and the thrust of accusation of assault with khanti is against co-accused Manilal Singh (not petitioner). In any event after due investigation the police has submitted charge sheet only under bailable Sections, but differing from the same cognizance has been taken also under Section 324, 327 and 379 IPC. A statement is made at the Bar that summon has been served on the petitioners requiring his appearance on 22.01.2019 upon which the petitioners came to know about the case. The petitioners claim clean antecedents.



4. Be that as it may, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Bhagalpur, in connection with Jagdishpur (Goradih) P.S. Case No. 163 of 2013, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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